REMARKS

Applicant would like to thank the Examiner for the careful consideration given to the present application. Before this Amendment "A", claims 1-70 were pending in the present application. In this Amendment "A", Applicant has canceled claims 1-70 and added new claims 71-85. Reconsideration of the application in its current format is hereby requested.

In the Office action, the Examiner has rejected claims 1-70 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2002/0178244 to Brittenham et al. Since claims 1-70 have been canceled, this rejection has been rendered moot. Applicant submits, however, that new claims 71-85 are patentable over the Brittenham et al. application.

The Brittenham et al. application discloses a method and system for improving network operations by dynamically redeploying services in a computing network. The computing network includes a client 210, an edge server 240, a deployment node 260 and an origin server 290. The deployment node 260 stores usage metrics for incoming service requests. According to the method, the client 210 issues a service request, which is routed to the deployment node 260. A DNS function 250 in the deployment node 260 determines that a current location of the requested service is in the origin server 290. If the requested service has been deployed at the edge server 240, the service request is routed to the edge server 240. If the requested service has not been deployed at the edge server 240, the service request is sent to the origin server 290.

The requested service is processed at the origin server 290 and the service results are returned to the client 210. The deployment node 260 updates a usage counter for the requested service and if the updated usage counter is equal or greater to a threshold value, the deployment node 260 sends a deployment request to a deployment facilitator 230 at the edge server 240. In response to the deployment request, the deployment facilitator 230 issues a SOAP request to a deployment provider 280 of the origin server 290. The SOAP request includes the name or other identifier of the requested service in the contents of a tag. After receiving the SOAP request, the deployment provider 280 returns a SOAP envelope to the deployment facilitator 230, which is used by the deployment facilitator to deploy the requested service on the edge server 240.

In the Office action, the Examiner presumably finds the services of the Brittenham et al. application as corresponding to the "assets" of the claimed invention. These services, however, are not tangible and do not pertain to an industrial enterprise. Thus, the Brittenham et al. application fails to show or suggest (with emphasis added):

> "*A method of managing a plurality of **physical** asset of an **industrial enterprise***", as is recited in new independent claim 71; and

> "*An enterprise network for managing a plurality of **physical** assets of an **industrial enterprise***", as is recited in new independent claim 78.

For at least this reason, the Brittenham et al. application fails to show or suggest new independent claims 71 and 78 and, thus, new dependent claims 72-77 and 79-85.

In the Office action, the Examiner finds the client 210 and the edge server 240

of the Brittenham et al. application as corresponding to the "data sources" of the claimed invention and the deployment node 260 of the Brittenham et al. application as corresponding to the "asset management server" of the claimed invention. The client 210 and the edge server 240 ("data sources") of the Brittenham et al. application, however, do not <u>each</u> have their own unique name for each of the services ("assets"). Rather paragraph [0053] of the Brittenham et al. application shows that there is only one name for a service, e.g., "urn:www.acme.com: stockquote service". Thus, the Brittenham et al. application fails to show or suggest (with emphasis added):

> "*a plurality of data sources **each of which have a unique name** for each of said assets*", as is recited in new independent claim 71; and

> "*a first data source and plurality of other data sources, **each of which have a unique name** for each of said assets*", as is recited in new independent claim 78.

And since the Brittenham et al. application fails to show such unique names, it is clear that the Brittenham et al. application fails to show or suggest the following limitations of independent claims 71 and 78:

> "*determine said unique name used for said first asset by each of said other data sources that need to receive said first message*", as is recited in new independent claim 71 and new independent claim 78.

For at least these additional reasons, the Brittenham et al. application fails to show or suggest new independent claims 71 and 78 and, thus, new dependent claims 72-77 and 79-85.

In the Office action, the Examiner presumably finds the service request sent by the client [paragraph 0048] as corresponding to the "first message" (formerly "incoming message") of the claimed invention. The service request, however, is simply a request for a service and does not provide information about the service ("asset"), let alone a condition of the service. Thus, the Brittenham et al. patent application fails to show or suggest (with emphasis added):

> a "*first message*", wherein "*said first message being **about a condition** of said first asset*" , as is recited in new independent claims 71 and 78.

For at least this additional reason, the Brittenham et al. application fails to show or suggest new independent claims 71 and 78 and, thus, new dependent claims 72-77 and 79-85.

Based on the foregoing, it is clear that the Brittenham et al. application does not show or suggest new claims 71-85. Therefore, Applicant submits that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 050877.

Respectfully submitted,

ABB Inc.
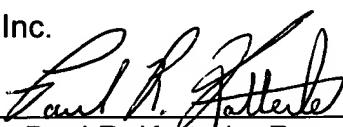
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